

**Notice of Allowability**

Application No.

10/706,975

Examiner

Oanh Duong

Applicant(s)

TAM ET AL.

Art Unit

2155

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/27/2006.
2. ☒ The allowed claim(s) is/are 6,7,10-12,15,17 and 18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20060925.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



SALEH NAJJAR

SUPERVISORY PATENT EXAMINER

### **INTERVIEW SUMMARY**

1. Examiner suggested applicants to cancel claims 1-5 and 13-14, and incorporate paragraphs [0037]-[0038] in pages 12-13 of applicants' specification into claims 6 and 12 in order to place the application in condition for allowance.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lawrence D. Eisen (Registration No. 41,009) on September 22, 2006.

The drawing has been amended as follows:

Please insert label "Prior Art" in Figure 1.

The claims of the invention have been amended as follows:

1. (Canceled)
2. (Canceled).
3. (Canceled)
4. (Canceled)

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5. (Canceled)

6. (Currently Amended) A method for providing multimedia message service (MMS) interoperability between an initiating mobile telephone service provider and a destination mobile telephone service provider, comprising:

receiving an MMS message from the initiating mobile telephone service provider;  
querying a number portability database that identifies a corresponding mobile telephone service provider for each of a plurality of telephone numbers to determine an identity of the destination mobile telephone service provider to which the MMS message is intended to be sent;

querying a carrier profile repository to access a carrier profile for the destination mobile telephone service provider, the carrier profile including information regarding an MMS format acceptable to the destination mobile telephone service provider;

determining, based on the carrier profile and a format of the MMS message received from the initiating mobile telephone service provider, whether the format of the MMS message received from the initiating mobile telephone service provider must be modified to be effectively received by a subscriber of the destination mobile telephone service provider and, if so, transcoding the MMS message in accordance with the carrier profile to generate a transcoded MMS message; and

sending ~~one of (i)~~ the MMS message received from the initiating mobile telephone service provider to the destination mobile telephone service provider if the destination mobile telephone service provider can accept the received MMS message as is, and

sending [[[ii)]] the transcoded MMS message to the destination mobile telephone service provider; ~~and~~ when the destination mobile telephone service provider cannot accept the received MMS message as is, ~~and~~ after a weighted iteration through entries in the carrier profile for the destination mobile telephone service provider, and the transcoding step is applicable to a current situation, and

sending a short message service (SMS) message to the destination mobile telephone service provider, and alternatively employing a best possible routing model and delivering the MMS message to the destination mobile telephone server provider if the destination mobile telephone service provider cannot accept the received MMS message as is, and the transcoding step is not applicable to the current situation.

12. (Currently Amended) A system for providing multimedia message service (MMS) interoperability between an initiating carrier and a destination carrier, comprising:

a transcoding facility comprising means for receiving an MMS message from an the initiating carrier;

a number portability database, in communication with the transcoding facility and configured to determine an identity of the destination carrier to which the MMS message is intended to be sent;

a carrier profile repository also in communication with the transcoding facility and configured to access a previously-stored carrier profile for the destination carrier, the

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carrier profile including information regarding an MMS format acceptable to the destination carrier;

the transcoding facility configured to determine, based on the carrier profile and a format of the MMS message received from the initiating carrier, whether the format of the MMS message received from the initiating carrier must be modified to be effectively received by the destination carrier and, if so, to transcode the MMS message in accordance with the carrier profile to generate a transcoded MMS message, and thereafter the transcoding facility configured to:

~~send one of (i) the MMS message received from the initiating carrier to the destination carrier if the destination carrier can accept the received MMS message as is, ; and (ii)~~

send the transcoded MMS message to the destination carrier, and  
~~further configured to, when the destination carrier cannot accept the MMS message received as is from the initiating carrier, and after iterating through entries in the carrier profile in a weighted manner, and the transcoding operation is applicable to a current situation, and~~

send a Short Message Service (SMS) message to the destination carrier, and alternatively employ a best possible routing model and deliver the MMS message to the destination carrier if the destination carrier cannot accept the received MMS message as is, and the transcoding operation is not applicable to the current situation.

13. (Canceled)

14. (Canceled)

### **REASONS FOR ALLOWANCE**

3. Claims 6, 7, 10-12, 15, 17, and 18 are allowable over the prior art of record.

4. This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remarks in the Amendment file on June 27, 2006 with respect to the amended claim limitations and further amended claim limitations in the Examiner's Amendment dated September 25, 2006 point out the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.D  
September 25, 2006

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER